

DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY FIELD ARTILLERY CENTER AND FORT SILL
Fort Sill, Oklahoma 73503-5100

USAFACFS Regulation
No. 600-6

27 May 1986

Personnel-General
ALCOHOL BREATH TESTING EQUIPMENT
Supplementation by subordinate commanders is prohibited,
unless specifically approved by Headquarters, USAFACFS

1. PURPOSE. This regulation establishes procedures for non-military police use and operation of the J3 Digital A.L.E.R.T. Quantitative Breath Tester and outlines policy on the use of breath test results. This regulation is not applicable to the Military Police.

2. GENERAL

a. Commanders of III Corps Artillery, USAFATC, USAFAS Brigade, and Headquarters Command will appoint a minimum of two personnel in the rank of staff sergeant or above to be the primary and alternate operators of the breath testing equipment. Additional operators at subordinate units may also be appointed as necessary to include personnel from supported units as discussed in b below.

b. Personnel from units other than those in a above will be tested by the major subordinate command having special court-martial convening authority over their units. Special court-martial convening authorities will coordinate with supported units and specify how breathalyzer support can be obtained.

c. Alcohol and Drug Abuse Prevention Control Program (ADAPCP) personnel will train operators to properly document procedures, results, and will certify each operator in the maintenance, operation, and calibration of the J3 Digital A.L.E.R.T. Quantitative Breath Tester. The ADAPCP will provide eight hours of hands-on training and test the operator before assigning a certification number which must be renewed annually through refresher training. Use of breath-testing equipment by noncertified operators will invalidate results.

d. If a commander wishes to initiate administrative or disciplinary actions based upon the J3 screening results, an evidentiary confirmation test must be obtained. Quantitative test confirmation may be obtained at Reynolds Army Community Hospital in the form of a blood test or from an approved evidentiary quality breath measuring device such as a Model 900 breathalyzer operated by a Military Policeman who is certified by the State of Oklahoma.

3. ALCOHOL IMPAIRMENT. Military personnel on duty shall not have a blood alcohol level of 0.050 percent weight per volume (w/v) milligram of alcohol per 100 milliliters of blood or above. Any violation of this provision provides a basis for administrative or disciplinary action. To be in violation of this provision, a soldier must have known or reasonably should have known prior to becoming impaired that he or she had duties to perform.

a. Concept. Testing personnel for the presence of excessive blood alcohol content while on duty is a tool the commander may use to evaluate individual and unit combat readiness. Testing will be conducted with maximum respect and concern for human dignity. These tests will be conducted to:

(1) Determine a soldier's fitness for duty and the need for counseling, rehabilitation, or other medical treatment.

(2) Determine the presence of alcohol in a soldier's blood during participation in the ADAPCP.

Gather evidence to be used in actions under the UCMJ.

Gather evidence to be used in administrative action.

(5) Determine the presence of alcohol in a soldier's blood for a valid medical purpose.

(6) Serve as a safeguard at social gatherings where alcoholic beverages were served to individuals who might otherwise not realize how much alcohol they have consumed.

b. Command Option. If a soldier's breath sample is 0.050 percent w/v or above, the commander must refer the individual to the ADAPCP and has the following options available (see also figure 1):

Disciplinary action under the UCMJ.

(2) Administrative action is an alternative (e.g. withholding pass privileges, admonition and reprimand, revocation of security clearance, bar to reenlistment, suspension from Personnel Reliability Program, reclassification of MOS, or discharge). The commander should consider discharge when the incident of misconduct is sufficiently serious to warrant such action or when the soldier has completed counseling or rehabilitation at the ADAPCP and demonstrates an unwillingness to change behavior.

4. ACCOUNTABILITY. The following forms will be maintained by the operator at each command assigned breathalyzer equipment and retained in accordance with current file regulation.

a. FS Form 708, Log of Tests and Maintenance Record (fig 2).

b. FS Form 720, Breath Analysis Record and Report (fig 3)

5. ADMINISTRATIVE PROCEDURES.

a. The operator will strictly follow procedures outlined on the Breath Analysis Record and Report.

b. The operator will assure all documentation is accurately completed and signed

c. The operator will report any malfunction of the machine to the ADAPCP immediately and note the type of malfunction on FS Form 708.

d. The J3 operator will have a witness to sign FS Form 720. The witness must have equal or higher rank than the soldier being tested.

6. REFERENCE. AR 600-85, Alcohol and Drug Abuse Prevention and Control Program, 1 December 1981

USE OF MANDATORY URINE OR ALCOHOL BREATH TESTING RESULTS

Ways a Commander may direct urine or alcohol breath test

REFERRAL TO ADAPCP

DISCIPLINARY ACTION UNDER UCMJ

CHARACTERIZATION OF DISCHARGE

OTHER ADMINISTRATIVE ACTION (Note 1)

To determine fitness for duty and the need for counseling, rehabilitation, or other medical treatment (Note 2)

YES

NO

NO

YES

Participation in ADAPCP

YES (Note 3)

NO

NO

YES (Note 4)

Search or seizure under military rules of evidence 312, 314, 315, and 316

YES

YES

YES

YES

As part of a military inspection under military rule of evidence 313

YES

YES

YES

YES

1) For example, withholding pass privileges (AR 630-5); admonition and reprimand (AR 600-37, chapter 2); revocation of security clearances (AR 604-5, chapter 10); bar to reenlistment (AR 601-280); and suspension of PRP certification (AR 50-5, AR 50-6); see FM 27-1 Legal Guide for Commanders.

2) This category refers to a soldier for whom the commander has a reasonable belief that drugs or alcohol have been injected as opposed to probable cause that the soldier has ingested drugs or alcohol. See SJA if in doubt.

3) For member enrolled in ADAPCP, can be used to determine whether further rehabilitation efforts are practical UP AR 635-200, chapter 9.

4) However, for members enrolled in ADAPCP, discussion of ADAPCP participation in EERs or OERs must be in accordance with AR 623-105 or AR 623-205. In addition, the fact that a member is participating in ADAPCP should be revealed only to those with an official need to know, see AR 600-85, paragraph 6-1b.

Figure 1. Command options of mandatory urine or alcohol breath testing results.

INSTRUCTIONS FOR COMPLETING
Alcohol Breath Testing Equipment
Log of Tests and Maintenance Record

<u>Item Title</u>	<u>Completed by</u>	<u>Remarks</u>
1. Breathalyzer Serial No.	DAACB/ Operator	Serial number is imprinted on a metal plate attached to the body of the breathalyzer.
2. Simulator Serial No.	DAACB/ Operator	Serial number is imprinted on a metal plate attached to the body of the simulator.
3. B.A.C. Solution Value.	DAACB/ Operator	Value of solution mixture used to calibrate breathalyzer.
4. Calibration Test Result.	DAACB/ Operator	Final digital readout on breathalyzer during calibration.
5. Date.	Operator	Enter calendar date the test was conducted.
6. Military Time.	Operator	Enter military time of day individual was tested.
7. Subject Tested.	Operator	Enter full name of individual tested
8. Subject's unit.	Operator	Enter military unit of assignment for subject.
9. Subject's Test Results.	Operator	Digital readout on breathalyzer after subject has blown into device.
10. Operator.	Operator	Individual certified at unit level to operate equipment and name of unit to which operator is assigned.
11. Certification No.	Operator	Number assigned to operator after training.

Figure 2 (cont)

SUBJECT IDENTIFICATION INFORMATION. (Data required by Privacy Act on reverse)

NAME John J. Subject DATE 11 NOV 85
SSN 000-11-2222 UNIT A BTRY 1/2 FA
RANK PFC SEX M DOB 10 Dec 64
ETS JAN 87

REASON FOR TEST Cmd directed

TIME SUBJECT ARRIVED FOR TEST 11 NOV 85 / 1400 HRS TIME TESTED 11 NOV 85 / 1415 HRS
(Date/Time) (Date/Time)

BREATH ANALYSIS SERIAL NUMBER 3571

OPERATING PROCEDURE

SAMPLE

1. Subject should be seated and the above information filled out completely. The subject is not allowed anything by mouth from the time he/she arrives to be tested; 15 minutes should elapse before test is administered.
2. Machine should be disconnected from the AC Charging Pack.
3. Have the subject insert the mouthpiece into the machine.
4. Turn switch to "ON" position. Note the time turned on in the Log of Test and Maintenance Record, item 6. The "ON" lamp should light up.
5. When "READY" light comes on, have the subject take a deep breath and blow into the mouthpiece activating the "TEST" light.
6. Subject continues blowing into machine until the "TEST" light goes off.
7. Subject's test results 0. // w/v Blood Alcohol Concentration. Record test results on the Log of Test and Maintenance Record, item 9.
8. Remove and discard the mouthpiece.
9. Turn the switch to the "OFF" position.
10. Connect the machine back to the AC Power Pack.

YES NO Above listed operating procedures followed in detail.

YES NO 15 minute deprivation period observed (subject's mouth was checked for improper substances and subject did not ingest any liquid or solid matter, smoke, or vomit).

OPERATOR NAME PRINTED John G. Counselor DATE 11 NOV 85

OPERATOR ID NUMBER 00007

OPERATOR SIGNATURE John G. Counselor

WITNESS NAME PRINTED I AM Witness RANK(*) SFC

WITNESS SIGNATURE I am Witness

(*) MUST BE EQUAL TO OR GREATER THAN THE RANK OF THE SUBJECT

DATA REQUIRED BY THE PRIVACY ACT

Authority:	Title 10 USC Section 3012.
Principal Purpose:	To identify subject being tested with test results.
Routine Uses:	One copy will be given to subject being tested, one copy will be given to commander.
Disclosure:	Mandatory.

Instructions for Completing
Breath Analysis Record and Report

1. Operator will complete the identification portion completely
2. Reason for test will be limited to one of the following:
 - a. To determine a member's fitness for duty and the need for counseling, rehabilitation, or other medical treatment.
 - b. To determine the presence of controlled substances in a member's blood during participation in the ADAPCP.
 - c. To gather evidence to be used in actions under the Uniform Code of Military Justice (UCMJ).
 - d. To gather evidence to be used in administrative actions
 - e. To determine the presence of controlled substances in a member's blood for a valid medical purpose.
 - f. To serve as a safeguard at social gatherings where alcoholic beverages are served to individuals who might otherwise not realize how much alcohol they have consumed.
3. Under operating procedures, operator will place a check mark to the left of each item as it is completed.
4. Operator will complete bottom portion of the form and have the witness sign.

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(ATZR-PCD)

FOR THE COMMANDER:



PAUL T. WEYRAUCH
Colonel, FA
Chief of Staff

DISTRIBUTION:

A
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